

Ordinance 2021-07 Annexing to and Bringing within the Town Limits of Pittsboro
Ordinance 2021-08 Annexing to and Bringing within the Town Limits of Pittsboro
Resolution 2021-03 Establishing Design and Construction Standards

**PITTSBORO TOWN COUNCIL MEETING
TUESDAY, MARCH 16, 2021 @ 7:00 PM**

QUORUM:

Jarod Baker
Melodi Ingalls – ZOOM
William Majeske
Jay Thompson – ZOOM
Randy Price – ZOOM

Jim Buddenbaum, Attorney – ZOOM
Shari L. Ping, Clerk Treasurer
Police Chief Scott King – ZOOM

OTHERS: Jason Love; Town Manager (ZOOM); Steve Maple, Building Commissioner; Rachel Miller, Parks & Rec
ZOOM attendees: Carl Carson, Asst. Police Chief; Brian Tuohy, Attorney for M/I Homes; Tim Westerfield and Jon Isaacs, M/I Homes; Eric Wathen, RQAW; Andy Kult, Attorney for Ark Park property; Adam Peaper, Rundell; Darrell Fife, 1114 E Wall St.; Jason Semler, Baker Tilly; Kimberly Blanchett, London Witte Group; Others listed on a separate page

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

President Jarod Baker brought the Council Meeting to order by establishing a quorum. Roll call: Bill Majeske-here, Jarod-here; Melodi-here, Randy-here, Jay-here. All five (5) members are present. Jarod then asked the Council, staff and audience to stand for the Pledge of Allegiance and to follow with a Moment of Silence.

APPROVAL OF MINUTES:

President Jarod Baker asked if there were any additions or corrections to the minutes from the February 16, 2021 meeting. There being none, Bill Majeske made a motion to approve the minutes, Jarod Baker seconded. Jarod took a roll call vote: Bill-yes, Jay-yes, Melodi-yes, Randy-yes, Jarod-yes. Motion passes 5-0.

President Jarod Baker asked if there were any additions or corrections to the minutes from the March 2, 2021 meeting. There being none, Jarod Baker made a motion to approve the minutes, Bill Majeske seconded. Jarod took a roll call vote: Bill-yes, Jay-yes, Melodi-yes, Randy-yes, Jarod-yes. Motion passes 5-0.

PUBLIC HEARING – ANNEXATION OF ARK PARK LLC – 6.38 ACRES

President Jarod Baker opened the Public Hearing for the 6.38 acres geographically located north of Wall Street and east of Jeff Gordon Blvd. Currently zoned as agriculture. Jarod asked for any public comment. Adam Peaper informed the Council that the recommendation is zoned as Highway Business and not agriculture. Steve Maple reminded Jarod that a fiscal plan was submitted to all council members. There was no public comment. Jarod closed the Public Hearing. The **Ordinance 2021-08 Annexing to and Bringing within the Town Limits of Pittsboro** will be discussed and voted on in the April meeting. Jarod asked if there was any representation from Ark Park LLC and if they had anything else to add. Andy Kult, Comer Law Office, represents Ark Park LLC and had nothing else to add. He thanked Adam Peaper for pointing out the Highway Business zoning.

PUBLIC HEARING – ANNEXATION OF FIFE PROPERTY – 20-21 ACRES

President Jarod Baker opened the Public Hearing for the 21.02 acres of property with the address of 1114 E Wall St, owned by Darrel & Phyllis Fife. Jarod explained that it will be zoned as agriculture. He then asked Darrell if he had any comments. Darrell explained why they are asking for annexation since they are surrounded on three (3) sides. They plan to section off eight (8) acres and build a home for themselves. After construction is complete, they will sell off 12 acres and existing home. The reason for agriculture zoning is because they have maintained horses on their property and feel a new buyer could want to do the same. He would like to connect the new house to the city sewer system. There was no public comment, so Jarod closed the hearing. He explained that the council will review **Ordinance 2021-07 Annexing to and Bringing within the Town Limits of Pittsboro** and discuss further at the April meeting.

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love gave an update on 33 E Main Street.

Jason Love gave an update on the water crew. Gary Golay, Eric Wathen and Jason met with Citizens Energy to take control of the vault at the golf course. Direction headed to take total control of our system once we go live.

Jason Love explained that he sold the Vactron last year. He has found one to replace it and would like the Council to authorize him to purchase it and not to exceed \$50,000 to be taken from the sewer fund. The new one has low hours and is a good fit for the Town.

President Jarod Baker asked the Council if they have any questions or comments for Jason. Bill Majeske asked Jason when will we be able to move into the new building. Jason explained they are still working on the flooring. Hopefully another month. Jay Thompson mentioned carpet would help with the acoustics. Jarod asked if there were any questions about the vactron purchase. Bill Majeske made the motion to authorize Jason not to exceed \$50,000 to purchase the vactron, Jarod Baker seconded. Jarod took a roll call vote: Bill-yes, Jay-yes, Melodi-yes, Randy-yes, Jarod-yes. Motion passes 5-0.

POLICE CHIEF:

Chief Scott King went over the attached report. The department is looking into switching duty weapons. They have been working on updating their policies regarding use of force. Approved at the last Police Commission meeting. Chief Scott King went over the funding of the police station remodel. Scott turned the meeting over to Jason Semler from Baker Tilly. He shared his screen to show scenarios of funding. There are three (3) terms – 10 year, 15 year and 20 year. See attached report. Total project cost would be \$825,000 including construction costs, architect fees, engineering fees, professional fees and bond issuance costs and contingencies. See attached report. Looked at using available revenues but the Town doesn't have any available revenues. Discussion followed. Jay Thompson asked about alternative funding available that wouldn't hurt the tax base. Jason Semler said we could use the Cum Fund and apply some of it to the annual payment. Bill Majeske asked Scott or Jason about the \$825,000 being a high number. Scott said it is a high number and could probably be cut by using local subs and purchasing our own furnishings. He has been looking into purchasing the furnishings ourselves that would cut about \$20,000 of the total cost. Jarod Baker thanked Jason Semler for all his details and for explaining in more detail. Jarod would like to have the Council discuss further before next months meeting.

CLERK TREASURER:

Shari Ping presented the 60/90 list. The list is going down with fewer residents on it. Residents are using their stimulus money to pay their utility bill.

BUILDING MANAGER:

Steve Maple went over the attached report.

BOARD OF ZONING APPEALS:

No meeting.

FIRE BOARD:

No report

PARK AND RECREATION:

Rachel Miller went over the attached report. Rachel asked about selling some items that the Park would like to get rid of. Jarod Baker explained that the value is under \$1000 you do not have to have sealed bids. Rachel then asked about projects over \$50,000. What is the approval process? Present the project and amount to the Council, funds being used and discussion. Jason Love explained that anything over \$150,000 would need to be sent out for bids. Anything under \$150,000 use quotes. Bill Majeske asked where the three (3) shelters were built? Rachel explained they are all north of the parking lot.

ADVISORY PLANNING COMMISSION:

Steve Maple explained the February meeting was busy. They approved four (4) resolutions: 1) address for a building on Scott Street; 2) Suggestion for Fife property be zoned agriculture; 3) Suggestion for Ark Park LLC be zoned Highway Business; 4) changes to the UDO (Unified Development Ordinance) see attached. Jarod asked if the Council members had any problems with accepting the Advisory Plan Commission recommendations. No one had any issues. Jarod Baker made a motion to approve Ordinance 2021-09 Amend Sections 1.14, 8.1, 10.9, 10.15 and 10.24 of the Unified Development Ordinance No. 2015-02. Bill Majeske seconded. Jarod took a roll call vote – Bill-yes, Jay-yes, Melodi-yes, Randy-yes, Jarod-yes. Motion passes 5-0.

The commission reviewed the application from Arbor Homes and sent to the Council with an unfavorable recommendation.

POLICE COMMISSION:

Melodi Ingalls reported that Scott already covered most of it during his report. Scott King also mentioned they were able to swear in their two (2) new employees.

REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:

No meeting

CONTRACTED BUSINESS:

Eric Wathen, RQAW, had nothing to report at this time.

OLD BUSINESS

White Oak Update – Discussion of PUD and Unfavorable Recommendation from the Plan Commission. Jarod explained that M/I Homes asked for a continuation. The Council approved the continuation. Jarod turned it over to Brian Tuohy, representative of M/I Homes. Brian went over the attached report. Brian asked that the commitments be added to White Oak's PUD. Bill Majeske asked Brian about a full brick home, Brian said yes they can build one. Bill then asked about the traffic study on Smith Street. Brian explained they originally had the road going out on Walnut Street, but a suggestion was made by the town to go to Smith Street. Traffic study was not done on Smith Street yet. Bill asked about the 136 entrance being divided with a median. Brian said according to the traffic study that many lots could use the entrance without any trouble. Jarod asked Jay or Melodi if they had any questions. Melodi did not, Jay asked about the 30' separation for a 3-car garage. Jonathon Isaacs explained the different setbacks for the different garages. Randy Price asked about using vinyl on the paired villas and not on the single family homes. Brian explained how the HOA fees would cover maintenance on the paired villas and young people want to live in a maintenance free home. Randy then asked about the mounding of 3' to 6' tall in the common areas. Jonathan explained the different types of green space that would be used in the common areas along with ponds. Randy asked about the responsibility of the green space be placed on the Town. Jonathon explained how the HOA fees would cover the maintenance of the green space. Jay had nothing else to add. Jarod asked the council how they wanted to vote on this. Jay Thompson made a motion to vote down the proposed changes to the PUD, Randy Price seconded. Jarod took a roll call vote – Bill-no, Jay-no, Randy-no, Melodi-no, Jarod-no. Motion passes 0-5.

Construction Standards Manual – President Jarod Baker explained that Steve Maple sent out the revised version of the Design and Construction Manual. Jarod asked the Council if they had any questions. Jay Thompson explained that he would like more time to go through it in more detail and asked to have it tabled until the April 20th. Jarod felt the same way and asked the Council to review the document and be ready to discuss at the April meeting.

Resolution 2021-03 Establishing Design and Construction Standards

NEW BUSINESS

Fisher-Hill/Arbor Homes PUD – President Jarod Baker explained that the Advisory Plan Commission sent an unfavorable recommendation. Jarod then introduced Christian Rector, from Arbor Homes. Christian went over the revised PUD. He is not asking for a vote tonight, would like a continuance so that they can get feedback from the Council and community. Jarod asked the Council if they had any feedback/questions for Christian. Bill Majeske asked about the building material for Silverthorne Homes. Christian explained the use of brick and hardy plank siding. Everyone is concerned about the density of the homes, building materials, connecting Karen Drive, unsupervised kids at the bus stops, and the front set back. Jarod Baker made a motion to give Arbor Homes a continuance to the April meeting. Christian informed the Council that there is no way to change the number of homes per acre to get below 2. He doesn't want to waste the Council's time if that is what they expect from Arbor. Jarod

then said if they can't change the density then there is no reason to continue. Jason Love asked the Council what density are you looking at? Deer Meadows needs retention ponds, but it was approved before all the studies were done. Jason also explained how they are tearing up our roads with all the construction traffic. Christian asked the Council what is Pittsboro looking to do? Pittsboro is going to grow and develop in 20-30 years and they are going to need a place to live. Jarod Baker feels that Pittsboro is not looking for a high density area. Jay Thompson made a motion to reject the proposed PUD from Arbor Homes. Randy Price seconded. Jarod took a roll call vote: Bill-no, Jay-no, Melodi-no, Randy-no, Jarod-no. Motion passes 0-5.

Mowing Estimate – Jarod Baker asked Shari Ping to explain the 2021 & 2022 Grounds Maintenance Program Estimate from A Cut n' Edge in the amount of \$22,211.00. Jason explained this is for the town mowing of common areas highlighted on the attached map. The total for each mowing is \$835. Jarod Baker recommended that we receive bids every three (3) years for the mowing. Rachel Miller told the Council that the Parks & Rec signed a three (3) year agreement with A Cut n' Edge. Jarod Baker made a motion to approve the presented estimate of \$22,211.00 from A Cut n' Edge. Melodi Ingalls seconded. Jarod took a roll call vote: Bill-yes, Melodi-yes, Jay-yes, Randy-yes, Jarod-yes. Motion passes 5-0.

PUBLIC COMMENT

Jarod Baker read comments from Zoom/Facebook. See attached list of comments.

COUNCIL COMMENT

Jay Thompson was talking to Chris York and our wastewater plant is in a state of distress. He explained that people are using COVID treatments and flushing them down the toilets and it is killing our bugs in the plant.

Jay Thompson went over the Fire Territory meeting. They applied for a grant but did not receive it. The fire department received the body armor for the active shooter.

Jay Thompson asked Jim Buddenbaum if the meeting minutes should note that the meeting was held at the Fire Station Conference Room. Jim said yes. Shari Ping informed the Council that she did make that change.

Jarod Baker went over the comments from Kyle Martin. Jay Thompson thanked Kyle for his involvement. Jarod also thanked Kyle and Larry Woods. See list of comments from the Zoom attendees. Jason Love said he would like to see the public involvement continue and voice their opinions regarding the UDO changes. The public can attend the Advisory Plan Commission meetings and voice their concerns. Randy Price would like to see that the UDO changes be done as soon as possible. Jason Love explained that we have property north of the interstate to develop and they always request if there is housing available. If we don't have the housing they will have to move onto another location. Adam Peaper, Rundell Ernstberger, explained that we should be starting with the comprehensive plan then make changes to the UDO.

ATTORNEY

Jim Buddenbaum reported that he is still waiting on the County for the ½ acre space in Brixton.

ACKNOWLEDGMENT OF CORRESPONDENCE

None

APPROVAL OF DRAFTS & CLAIMS

Jarod Baker asked Shari Ping to present the drafts and claims for March 16, 2021. Jarod Baker made a motion to approve, Bill Majeske seconded. Roll call vote: Bill-yes, Jay-yes, Melodi-yes, Randy-yes, Jarod-yes. Motion carries 5-0. Jason Love had an invoice to add to the drafts and claims for mowing the Frontage Road. He found it in his spam folder and it is two (2) months late. Jarod Baker made the motion to add the invoice, Melodi Ingalls seconded. Jarod took a roll call vote: Bill-yes, Melodi-yes, Jay-yes, Randy-yes, Jarod-yes. Motion passes 5-0.


ADJOURNMENT

Jarod Baker reminded the Council what will be on the agenda for the April 20th meeting. Jarod Baker asked for a motion to adjourn the meeting. Jay Thompson made the motion, Randy Price seconded. Jarod took a roll call vote: Bill-yes, Melodi-yes, Jay-yes, Randy-yes, Jarod-yes. Motion passes 5-0.

Respectfully submitted,


Shari L. Ping
Clerk Treasurer



Jarod Baker, President


Melodi Ingalls


William Majeske


Randy Price


Jay Thompson

Attest: 
Shari L. Ping, Clerk Treasurer